



Montana Fish, Wildlife & Parks

Beaverhead and Big Hole River Rules Evaluation Update

Montana Fish, Wildlife and Parks (FWP) appreciates your input on the Beaverhead and Big Hole river recreation rules. The department's goal was to conduct a transparent and civil review of the rules – thank you for helping make this happen. FWP received comments from 126 people and 7 organizations. FWP also received two petitions asking the Commission to retain the current rules (375 signatures). All of the original comments are available on the FWP web site (fwp.mt.gov) under Beaverhead - Big Hole Rules. Comments included:

- Keep the rules as they are (105 comments).
- Change the rules to allow groups of kayakers to float the Big Hole (9 comments).
- Allow non-permitted outfitters to launch at Jessen Park (Beaverhead) and/or High Road (Big Hole) to gain access to Upper Jefferson (8 comments including one qualified support).
- Open Highway 91 Bridge (Tash) to Selway Bridge (Beaverhead) to some float outfitting (8 comments).
- Split Selway Bridge to Jessen Park reach (Beaverhead) into 2 sections - one launch per day per section (7 comments).
- Adjust float outfitting restrictions on Big Hole, e.g. eliminate weekday restrictions (6 comments).
- Remove some, or all, of the nonresident float fishing restrictions (5 comments).
- Continue to review the rules at least every five years (4 comments).
- Change “lapsed” license to “expired” license to match Board of Outfitters definitions (3 comments).
- Expand rules to year-round, e.g. year-round float outfitting restrictions.

On April 8 the department will brief the FWP Commission on the public's comments and explain that the majority of the comments stated the rules have improved the angling experience, are working well (“not broken”), and therefore should remain unchanged.

The department will explain that some people recommended changes to the rules that can be categorized as relatively simple “housekeeping” changes, e.g. changing “lapsed license” to “expired license” to bring about consistency with Board of Outfitters definitions. Others recommended changes that are more substantive and potentially controversial, e.g. the suggestion to open the Beaverhead River between Highway 91 South Bridge and Selway Bridge to some amount of float outfitting.

The department will inform the Commission that the current rules do not limit group size for kayakers or other floaters but instead limit the number of launches allowed per individual or per outfitter per day. This correct interpretation of the rules should alleviate the concerns raised by kayakers about safety and group size.

In light of the fact that most people believe the rules are working well to maintain a desirable recreation experience, the department will recommend that the Commission retain the bulk of the rules without any changes. The department will propose that the Commission consider the following amendments:

1. Insert a definition for the “Beaverhead River” that refers to the river from its headwaters to Jessen Park in Twin Bridges. This would provide non-permitted outfitters commercial float access to the Upper Jefferson River and would have minimal impact on the non-outfitted users. Insert definition for “Big Hole River” that refers to the river from its headwaters to its confluence with the Jefferson River.
2. Change “lapsed” to “expired” license in reference to when an outfitter is no longer authorized to operate on the Beaverhead and/or Big Hole. This is consistent with the original intent of the rule and Board of Outfitters definitions.
3. Change “Mudd Creek Bridge fishing access site” to “Mudd Creek Bridge BLM access site”. This is incorrectly identified in the rules as a FWP site.
4. Insert language that states the Commission shall review the rules every five years or as needed. This would provide for periodic review to assess the effectiveness of the rules.

The department will inform the Commission that it does not view the aforementioned recommendations as being of significant enough interest to the public to benefit from the participation of a citizen advisory committee.

The April 8 Commission meeting will take place at FWP Headquarters in Helena and will include an opportunity for the public to comment. A summary of public comments and all of the original comments are available on the FWP web site (fwp.mt.gov) under Recreation – Beaverhead Big Hole Rules. If the Commission decides to propose amendments to the rules, the department will announce an additional public comment period and rule hearing information. If you have any questions about the review process please phone (406) 444-3888 or email csperry@mt.gov.

